

3. Terminal Disclaimer with disclaimer fee
☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ For a small entity or \$ _____ For other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63)
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]
5. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 503079

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1/24/08
Date

/David G. Dolezal/
Signature

512-996-6839
Telephone Number

David G. Dolezal
Typed or printed name

Freescale Semiconductor, Inc.



2 3 1 2 5
Customer Number

Enclosures: ☒ Fee Payment
☒ Reply
☐ Terminal Disclaimer Form
☒ Additional sheets containing statements establishing unintentional delay

CERTIFICATE OF SUBMISSION

I hereby certify that this correspondence is being facsimile transmitted, submitted via EFS, or deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313.

1/24/2008
Date

/Stacie Herrera/
Signature

Stacie Herrera
Typed or printed name of person signing certificate

RENEWED PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY
UNDER 37 CFR 1.137(b)

Honorable Assistant Commissioner for Patents:
Arlington, VA 22202

This serves as a renewed petition to revive the application number 09/712,749 which was abandoned. The petition for revival filed Oct 16, 2003 (Original Petition) for this application was dismissed under in a letter dated December 3, 2007 from the USPTO (Letter). In dismissing the Original Petition, the Letter stated that Item (1) of 37 CFR 1.137(b) was not met in the Original Petition. Specifically, it stated that there was no response to the January 17, 2003 Office Action in the case. The Letter also states that the reply to this Office Action must be a 1) notice of appeal, 2) an amendment that prima facie places the application in condition for allowance, 3) a Request for Continued examination, or 4) a filing of a continuing application.

Applicants note that a response to the January 17, 2003 office action was faxed to the USPTO on February 12, 2003. (Response to Office Action). In that Response to Office Action, claims 1 and 17 were amended to include the limitations of allowable claims 16 and 24, respectively. Also, claim 25 was allowed. Accordingly, because dependent claims 16 and 24 were indicated as allowable and because the Response to Office Action amended the independent claims to include those limitations, the Response to Office Action placed the case in condition for allowance in that no outstanding rejections remained. A copy of the response, the fax cover sheet, the transmission verification report, and the Auto reply from the USPTO are included with this Renewed Petition.

Apparently, the above cited Response to Office Action was never entered by the USPTO.

Because, the above cited Response to Office Action was submitted with the Original Petition, and because the above cited Response to Office Action was "an amendment that prima facie places the application in condition for allowance, the Original Petition to revive this application should have been granted.

The Letter also cited a second reason for rejecting the Original Petition to revive. The second reason is based on the contention that Douglas W. Gilmore was not authorized to charge the petition fee against the deposit account of the Original Petition.

Applicants thank Irvin Dingle for the telephone interview granted Assignee Attorney David G. Dolezal on January 24, 2008. In the interview, the second reason for rejection (the authorization for the petition fee) was discussed. To respond to this reason for rejection, Mr. Dingle stated that the person signing this Renewed Petition would have to be authorized to charge the deposit account on cited on the Renewed Petition. Applicants do not have to show that Mr. Gilmore was authorized to charge the deposit account of the Original Petition. Accordingly, this reason should be overcome.

Accordingly, Applicants respectfully requests the revival of this application and its allowance.

Respectfully submitted,
Fu et al.

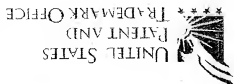
/David G. Dolezal/

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Austin, TX 78729

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02/12/03 12:31:57

Auto-Reply Facsimile Transmission



TO:

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Fax Information

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ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPEP) section 306 et seq.

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|---|---|--|
| MOTOROLA FAX TRANSMITTAL SHEET | | Motorola, Inc. Intellectual Property Section Law Department 3100 North 35th Avenue Phoenix, Arizona 85018-6 Phone to fax: 602-952-3945 Fax to fax: 602-952-3945 E-mail to: 6029523945@uspto.gov 18 |
| Date: | February 12, 2003 | |
| To: | Examiner David Nguyen | |
| Location: | United States Patent and Trademark Office | |
| Fax No.: | 703-872-9303 | |
| From: | William E Koch, REG. NO. 25,669 | |
| Subject: | 09/712769 - Patent; DocId: No. - 0300-020 Filed: 14 November 2000 | |
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| MESSAGE: | | |
| Enclosed herewith, please find response under 37 cfr 1.114 for the the above-referenced application. | | |

To: Examiner David Nguyen
Location: United States Patent and Trademark Office
Fax No.: 703-872-9303
From: William E. Koch, REG.NO. 29,659
Subject: 09/712749 - Fu et al.
Docket No.: CT00-020
Filed: 14 November 2000

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MESSAGE:

Enclosed herewith, please find **response under 37 cfr 1.116** for filing in the above-identified application.

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TIME : 02/12/2003 10:17
NAME : MOTOROLA LAW DEPT
FAX : 6029523945
TEL : 6029524399

TRANSMISSION VERIFICATION REPORT



MOTOROLA

FAX TRANSMITTAL SHEET

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Phoenix, Arizona 85018
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Number of Pages (including this page)

Date: February 12, 2003
To: Examiner David Nguyen
Location: United States Patent and Trademark Office
Fax No.: 703-872-9303
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MESSAGE:

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